## REMARKS

Applicants, with traverse, elect Group I, canceling claims 2, 9-14, 17-19, and 23-47, without prejudice. Claims 1, 6, 7, 8, and 20 have been amended and new claims 48-57 have been added. These claim amendments do not introduce new matter and are fully supported by the specification and claims as originally filed. For example, support for new claims 48 and 49 can be found at page 21, paragraph [0099].

In addition, Applicants elect the species CNS and make the further election of the single species multiple sclerosis (MS) as indicated in claims 6, 7, 8, 55, 56, and 57, with traverse.

The Applicants respectfully traverse the election required by the Examiner. The Applicants remind the Examiner that there are two criteria for a proper requirement for restriction between patentably distinct inventions:

(a) The inventions must be independent; and

(b) There must be a serious burden on the Examiner if restriction is required.

Moreover, MPEP § 803 states that, "If the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits, even though it contains claims to distinct or independent inventions".

The Applicants submit that the claims of Groups I, II, III, and IV, and new claims 48-57, are connected by a single, searchable unifying relationship (i.e., the nexus of Fas ligand fragment and an immune privileged site). In view of this single, searchable unifying relationship, the Applicants submit that the Examiner would not be seriously burdened by searching and examining the claims of these groups in a single application. Accordingly, the Applicants respectfully request withdrawal of the restriction of claims 1-47 into different groups.

In the event that the above argument is not persuasive, the Applicants elect Group I, with traverse.

The Applicants request entry of this preliminary amendment and reconsideration of the pending claims.

A check in the amount of $55.00 is enclosed for the one month Extension of Time fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

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Lisa A. Haile, Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133
**USPTO Customer Number 28213**

**Exhibit A**

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claims 2, 9-14, 17-19, and 23-47 have been canceled, without prejudice. The claims have been amended as follows:

1. (Once amended) A method of modulating inflammation within an immune privileged site in an animal by [introducing] delivering an effective amount of a Fas ligand fragment comprising the extracellular domain of a full length Fas ligand, or a derivative thereof, behind the blood-tissue barrier of the immune privileged site, wherein said Fas ligand fragment, or derivative thereof, has the ability to induce apoptosis in Fas expressing cells.

3. (Reiterated) The method according to claim 1, wherein said effective amount of the Fas ligand fragment, or derivative thereof, is administered to said animal by a method selected from the group comprising: intrathecal administration; intraventricular administration; and intracisternal administration.

4. (Reiterated) The method according to claim 1, wherein said Fas ligand fragment is a recombinant polypeptide.

5. (Reiterated) The method according to claim 1, wherein said Fas ligand fragment comprises at least amino acids 103-281 of a human full length Fas ligand.

6. (Once amended) The method according to claim 1 [2], wherein said immune privileged site is the CNS.

7. (Once amended) The method according to claim 6, wherein said inflammation is associated with an inflammatory disease [autoimmune disorder].

8. (Once amended) The method according to claim 7, wherein said inflammatory disease [autoimmune disorder] is multiple sclerosis.

15. (Reiterated) The method according to claim 1, wherein said animal is a mammal.

16. (Reiterated) The method according to claim 15, wherein said mammal is a human.

20. (Once amended) A method of modulating inflammation in an immune privileged site in an animal through the *in vivo* induction of apoptosis in Fas expressing cells, comprising [introducing] delivering an effective amount of a Fas ligand fragment comprising the extracellular domain of a full length Fas ligand, or a derivative thereof, behind the blood-tissue barrier of the immune privileged site.

21. (Reiterated) The method according to claim 20, wherein said animal is a mammal.

22. (Reiterated) The method according to claim 21, wherein said mammal is a human.

48. (New) The method according to claim 1, wherein said Fas ligand fragment, or derivative thereof, is delivered to said animal by means of expressing a nucleic acid encoding said Fas ligand fragment, or derivative thereof.

49. (New) The method according to claim 48, wherein said nucleic acid is administered to said animal in a form selected from the group comprising: cDNA, plasmid DNA, a liposome, a viral vector, or a transformed cell.

50. (New) The method according to claim 20, wherein said effective amount of the Fas ligand fragment, or derivative thereof, is administered to said animal by a method selected from the group comprising: intrathecal administration; intraventricular administration; and intracisternal administration.

51. (New) The method according to claim 20, wherein said Fas ligand fragment, or derivative thereof, is delivered to said animal by means of expressing a nucleic acid encoding said Fas ligand fragment, or derivative thereof.

52. (New) The method according to claim 51, wherein said nucleic acid is administered to said animal in a form selected from the group comprising: cDNA, plasmid DNA, a liposome, a viral vector, or a transformed cell.

53. (New) The method according to claim 20, wherein said Fas ligand fragment is a recombinant polypeptide.

54. (New) The method according to claim 20, wherein said Fas ligand fragment comprises at least amino acids 103-281 of a human full length Fas ligand.

55. (New) The method according to claim 20, wherein said immune privileged site is the CNS.

56. (New) The method according to claim 55, wherein said inflammation is associated with an inflammatory disease.

57. (New) The method according to claim 56, wherein said inflammatory disease is multiple sclerosis.